

REMARKS

Claims 1-3, 5-8, 29, 31, 47-51, and 53-60 are pending. Claims 1, 54, and 56-59 have been amended. No new matter has been added.

Claims 1, 54, and 56-58 are Allowable

The Office objected to claims 1, 54, and 56-58 due to informalities. Claims 1, 54, and 56-58 have been amended as suggested in the Office Action. Applicant requests removal of the objections.

Claims 1-3, 5-8, 29, and 31 are Allowable

The Office has rejected claims 1-3, 5-8, 29, and 31, under 35 U.S.C. §103(a), as being unpatentable over U.S. Patent Application Publication No. 2003/0039242 (“Moore”), in view of U.S. Patent No. 7,308,263 (“Gallagher”), in view of U.S. Patent No. 6,993,363 (“Hsu”), and further in view of U.S. Patent Application Publication No. 2004/0259544 (“Amos”). Applicant respectfully traverses the rejections.

The cited portions of the above-cited references do not disclose or suggest the specific combination of claim 1. For example, the cited portions of Moore, Holloway, Hsu, and Amos do not disclose or suggest “a service request module configured to determine proximity to a wireless network base station associated with a landline telephone associated with a second telephone number that is different than the first telephone number, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between the mobile communication device and the landline telephone,” as in claim 1.

The Office admits that Moore does not disclose or suggest a wireless network base station associated with a landline telephone, as in claim 1. *See* Office Action, page 6.

Gallagher is not usable as prior art against the present application. If the proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is not suggestion or motivation to make the proposed modification. *In re*

Gordon, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984), and MPEP 2143.01 V. Gallagher describes a system for handover of a telecommunication session between a licensed wireless system and an unlicensed wireless system to allow for the utilization of a single telephone number for both landline communications by a landline phone and licensed wireless communications by a mobile device. *See* Gallagher Abstract; col. 2, lines 13-24; col. 15, and line 55 through col. 16, line 5. The modification of Gallagher to accommodate the use of a first telephone number associated with mobile telephony circuitry and a second telephone number associated with a landline phone would render Gallagher unsatisfactory for its intended purpose of allowing for the use of a single number for use with a landline phone and a mobile device. Therefore, Gallagher is not a proper reference to be applied against claims of the present application.

In contrast to claim 1, Hsu describes a cellular telephone communication system. *See* Hsu, col. 4, lines 5-6. The system includes a cellular telephone network that includes at least one mobile switching center (MSC). *See* Hsu, col. 4, lines 25-26. Each MSC connects through trunk circuits to a number of base stations that the MSC controls. Thus, each base station disclosed by Hsu is associated with an MSC rather than a landline telephone. Therefore, the cited portions of Hsu fail to disclose or suggest “a service request module configured to determine proximity to a wireless network base station associated with a landline telephone associated with a second telephone number that is different than the first telephone number, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between the mobile communication device and the landline telephone,” as in claim 1.

In further contrast to claim 1, Amos describes a system for sending and receiving Voice-over-Internet Protocol (VoIP) data over a wireless computer network utilizing a hybrid wireless VoIP telephone. *See* Amos, Abstract. The hybrid wireless VoIP telephone communicates via two different local area network protocols (802.11x and Bluetooth). *See* Amos, paragraphs [0015] and [0040]. The cited portions of Amos do not disclose or suggest a wireless network base station associated with a landline telephone. Therefore, the cited portions of Amos fail to disclose or suggest “a service request module configured to determine proximity to a wireless network base station associated with a landline telephone associated with a second telephone

number that is different than the first telephone number, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between the mobile communication device and the landline telephone,” as in claim 1.

Therefore, the cited portions of Moore, Hsu, and Amos, individually or in combination, fail to disclose or suggest the specific combination of claim 1, and Gallagher is not an appropriate reference to be applied to claim 1. Hence, claim 1 is allowable. Claims 2, 3, 5-8 29, and 31 are allowable, at least by virtue of their dependence from claim 1.

Claim 47 is Allowable

The Office has rejected claim 47, under 35 U.S.C. §103(a), as being unpatentable over Moore, in view of Gallagher, in view of Hsu, in view of Amos, and further in view of U.S. Patent No. 6,091,948 (“Carr”). Applicant respectfully traverses the rejection.

Claim 47 depends from claim 1. As explained above, claim 1 is allowable over Moore, Gallagher, Hsu, and Amos. The cited portions of Carr fail to disclose or suggest the elements of claim 1 not disclosed or suggested by the cited portions of Moore, Hsu, and Amos. For example, the cited portions of Carr fail to disclose or suggest “a service request module configured to determine proximity to a wireless network base station associated with a landline telephone associated with a second telephone number that is different than the first telephone number, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between the mobile communication device and the landline telephone,” as in claim 1. Carr describes a call forwarding automation feature in a wireless telephone. *See Carr*, Abstract. Carr does not disclose or suggest a wireless network base station associated with a landline telephone, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between a mobile communication device and a landline telephone, as in claim 1. Therefore, claim 47 is allowable, at least by virtue of its dependence from claim 1.

Claim 48 is Allowable

The Office has rejected claim 47, under 35 U.S.C. §103(a), as being unpatentable over Moore, in view of Gallagher, in view of Hsu, in view of Amos, and further in view of U.S. Patent No. 6,708,028 (“Byrne”). Applicant respectfully traverses the rejection.

Claim 48 depends from claim 1. As explained above, the claim 1 is allowable over Moore, Gallagher, Hsu, and Amos. The cited portions of Byrne fail to disclose or suggest the elements of claim 1 not disclosed or suggested by the cited portions of Moore, Hsu, and Amos. For example, the cited portions of Byrne fail to disclose or suggest “a service request module configured to determine proximity to a wireless network base station associated with a landline telephone associated with a second telephone number that is different than the first telephone number, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between the mobile communication device and the landline telephone,” as in claim 1. Byrne describes a radio telephone capable of being operated in more than one radio telephone system. *See* Byrne, Abstract. Byrne does not disclose or suggest a wireless network base station associated with a landline telephone, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between a mobile communication device and a landline telephone, as in claim 1. Therefore, claim 48 is allowable, at least by virtue of its dependence from claim 1.

Claim 49 and 50 are Allowable

The Office has rejected claims 49 and 50, under 35 U.S.C. §103(a), as being unpatentable over Moore, in view of Gallagher, in view of Hsu, in view of Amos, and further in view of U.S. Patent Application Publication No. No. 2002/0143738 (“Miyakoshi”). Applicant respectfully traverses the rejections.

Claims 49 and 50 depend from claim 1. The cited portions of Miyakoshi fail to disclose or suggest the elements of claim 1 not disclosed or suggested by the cited portions of Moore, Hsu, and Amos. For example, the cited portions of Miyakoshi fail to disclose or suggest “a

service request module configured to determine proximity to a wireless network base station associated with a landline telephone associated with a second telephone number that is different than the first telephone number, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between the mobile communication device and the landline telephone,” as in claim 1. Miyakoshi describes a portable information terminal that relates stored data in a mobile telephone to a base station code, and retrieves and presents the stored data when the mobile telephone receives the base station code. *See* Miyakoshi, Abstract. Miyakoshi does not disclose or suggest a wireless network base station associated with a landline telephone, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between a mobile communication device and a landline telephone, as in claim 1. Therefore, claims 49 and 50 are allowable, at least by virtue of their dependence from claim 1.

Claim 51 is Allowable

The Office has rejected claim 51, under 35 U.S.C. §103(a), as being unpatentable over Moore, in view of Gallagher, in view of Hsu, in view of Amos, in view of Miyakoshi, and further in view of U.S. Patent No. 6,269,395 (“Blatherwick”). Applicant respectfully traverses the rejection.

Claim 51 depends from claim 1. The cited portions of Blatherwick fail to disclose or suggest the elements of claim 1 not disclosed or suggested by the cited portions of Moore, Hsu, Amos, and Miyakoshi. For example, the cited portions of Blatherwick fail to disclose or suggest “a service request module configured to determine proximity to a wireless network base station associated with a landline telephone associated with a second telephone number that is different than the first telephone number, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between the mobile communication device and the landline telephone,” as in claim 1. Blatherwick describes a system that provides a user interface listing services associated with one or more access points or service providers. Blatherwick does

not disclose or suggest a wireless network base station associated with a landline telephone, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between a mobile communication device and a landline telephone, as in claim 1. Hence, claim 51 is allowable, at least by virtue of its dependence from claim 1.

Claim 53 is Allowable

The Office has rejected claim 53, under 35 U.S.C. §103(a), as being unpatentable over Moore, in view of Gallagher, in view of Hsu, in view of Amos, and further in view of U.S. Patent Application Publication No. 2004/0100906 (“Gay”). Applicant respectfully traverses the rejection.

Claim 53 depends from claim 1. The cited portions of Gay fail to disclose or suggest the elements of claim 1 not disclosed or suggested by the cited portions of Moore, Hsu, and Amos. For example, the cited portions of Gay fail to disclose or suggest “a service request module configured to determine proximity to a wireless network base station associated with a landline telephone associated with a second telephone number that is different than the first telephone number, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between the mobile communication device and the landline telephone,” as in claim 1. Gay describes a system that provides preferred service flow of high priority messages between electronic devices that defaults to a standard procedure when appropriate resources are not available. *See Gay*, Abstract. Gay does not disclose or suggest a wireless network base station associated with a landline telephone, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between a mobile communication device and a landline telephone, as in claim 1. Hence, claim 53 is allowable, at least by virtue of its dependence from claim 1.

Claims 54-57 are Allowable

The Office has rejected claims 54-57, under 35 U.S.C. §103(a), as being unpatentable over Moore, in view of Gallagher, in view of U.S. Patent No. 7,171,216 (“Choksi”), and further in view of Hsu. Applicant respectfully traverses the rejections.

The cited portions of the above-cited references do not disclose or suggest the specific combination of claim 54. For example, the cited portions of Moore, Holloway, Hsu, and Amos do not disclose or suggest “a service request module configured to determine proximity to a wireless network base station, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between the mobile communication device and a landline telephone associated with a second telephone number that is different than the first telephone number,” as in claim 54.

The Office admits that Moore does not disclose or suggest a wireless network base station associated with a landline telephone, as in claim 54. *See* Office Action, page 19.

Gallagher is not usable as prior art against claims of the present application. If the proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is not suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984), and MPEP 2143.01 V. Gallagher discloses a system for handover of a telecommunication session between a licensed wireless system and an unlicensed wireless system to allow for the utilization of a single telephone number for both landline communications by a landline phone and licensed wireless communications by a mobile device. *See* Gallagher Abstract; col. 2, lines 13-24; col. 15, and line 55 through col. 16, line 5. The modification of Gallagher to accommodate the use of a first telephone number associated with mobile telephony circuitry and a second telephone number associated with a landline phone would render Gallagher unsatisfactory for its intended purpose of allowing for the use of a single number for use with a landline phone and a mobile device. Therefore, Gallagher is not a proper reference against the present application.

In contrast to claim 54, Choksi describes a system for detecting a preferred wireless network for a mobile device. *See* Choksi, col. 1, lines 6-9. Choksi does not disclose or suggest a wireless network base station associated with a landline telephone, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between a mobile communication device and a landline telephone. Therefore, the cited portions of Choksi fail to disclose or suggest “a service request module configured to determine proximity to a wireless network base station, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between the mobile communication device and a landline telephone associated with a second telephone number that is different than the first telephone number,” as in claim 54.

In contrast to claim 54, Hsu describes a cellular telephone communication system. *See* Hsu, col. 4, lines 5-6. The system includes a cellular telephone network that includes at least one mobile switching center (MSC). *See* Hsu, col. 4, lines 25-26. Each MSC connects through trunk circuits to a number of base stations that the MSC controls. Thus, each base station disclosed by Hsu is associated with an MSC rather than a landline telephone. Therefore, the cited portions of Hsu fail to disclose or suggest “a service request module configured to determine proximity to a wireless network base station, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between the mobile communication device and a landline telephone associated with a second telephone number that is different than the first telephone number,” as in claim 54.

Therefore, the cited portions of Moore, Choksi, and Hsu, individually or in combination, fail to disclose or suggest the specific combination of claim 1, and Gallagher is not an appropriate reference to be applied to claim 54. Hence, claim 54 is allowable. Claims 55-57 are allowable, at least by virtue of their dependence from claim 54.

Claim 58 is Allowable

The Office has rejected claim 58, under 35 U.S.C. §103(a), as being unpatentable over Moore, in view of Gallagher, in view of Choksi, in view of Hsu, and further in view of U.S. Patent No. 6,711,146 (“Yegoshim”). Applicant respectfully traverses the rejection.

Claim 58 depends from claim 54. The cited portions of Yegoshim fail to disclose or suggest the elements of claim 54 not disclosed or suggested by the cited portions of Moore, Choksi, and Hsu. For example, the cited portions of Yegoshim fail to disclose or suggest “a service request module configured to determine proximity to a wireless network base station, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between the mobile communication device and a landline telephone associated with a second telephone number that is different than the first telephone number,” as in claim 54. Yegoshim describes a system for an organization having multiple sites that uses a dual-mode device capable of both cell phone communication and telephone communication on a local area network. *See* Yegoshim, Abstract. The cited portions of Yegoshim do not disclose or suggest a wireless network base station associated with a landline telephone. The cited portions of Yegoshim also do not disclose or suggest a wireless network base station that is configured for voice communications between a mobile communication device and a landline telephone, as in claim 54. Hence, claim 58 is allowable, at least by virtue of its dependence from claim 54.

Claims 59 and 60 are Allowable

The Office has rejected claims 59 and 60, under 35 U.S.C. §103(a), as being unpatentable over Moore, in view of Gallagher, and further in view of Amos. Applicant respectfully traverses the rejections.

The cited portions of the above-cited references do not disclose or suggest the specific combination of claim 59. For example, the cited portions of the above-cited references do not disclose or suggest “a service request module configured to determine proximity to a wireless network base station associated with a landline telephone associated with a second telephone number that is different than the first telephone number, the wireless network base station

configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between the mobile communication device and the landline telephone,” as in claim 59.

The Office admits that Moore does not disclose or suggest a wireless network base station associated with a landline telephone, as in claim 59. *See* Office Action, page 26.

Gallagher is not usable as prior art against the present application. If the proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is not suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984), and MPEP 2143.01 V. Gallagher discloses a system for handover of a telecommunication session between a licensed wireless system and an unlicensed wireless system to allow for the utilization of a single telephone number for both landline communications by a landline phone and licensed wireless communications by a mobile device. *See* Gallagher Abstract; col. 2, lines 13-24; col. 15, and line 55 through col. 16, line 5. The modification of Gallagher to accommodate the use of a first telephone number associated with mobile telephony circuitry and a second telephone number associated with a landline phone would render Gallagher unsatisfactory for its intended purpose of allowing for the use of a single number for use with a landline phone and a mobile device. Therefore, Gallagher is not a proper reference to be applied to claim 59 of the present application.

In further contrast to claim 59, Amos discloses a system for sending and receiving Voice-over-Internet Protocol (VoIP) data over a wireless computer network utilizing a hybrid wireless VoIP telephone. *See* Amos, Abstract. The hybrid wireless VoIP telephone communicates via two different local area network protocols (802.11x and Bluetooth). *See* Amos, paragraphs [0015] and [0040]. The cited portions of Amos do not disclose or suggest a wireless network base station associated with a landline telephone. Therefore, the cited portions of Amos fail to disclose or suggest “a service request module configured to determine proximity to a wireless network base station associated with a landline telephone associated with a second telephone number that is different than the first telephone number, the wireless network base station configured for voice communications via a voice communications network, the wireless network

base station further configured for voice communications between the mobile communication device and the landline telephone,” as in claim 59.

Therefore, the cited portions of Moore and Amos, individually or in combination, fail to disclose or suggest the specific combination of claim 59, and Gallagher is not an appropriate reference to be applied against claim 59. Hence, claim 59 is allowable. Claim 60 is allowable, at least by virtue of its dependence from claim 59.

CONCLUSION

Applicant has pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the cited portions of the references as applied in the Office Action. Accordingly, Applicant respectfully requests reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims.

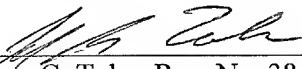
Any changes to the claims in this response, which have not been specifically noted to overcome a rejection based upon the cited art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

12-1-2009
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